

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

2004 OCT 18 P 2:29

CIVIL ACTION NO. 04-CV-10945-RGS  
U.S. DISTRICT COURT  
DISTRICT OF MASS.

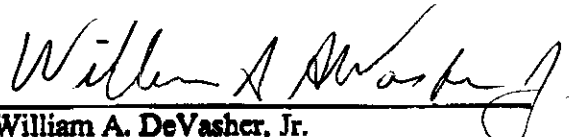
DAVID NAGER & ASSOCIATES, INC., )  
Plaintiff, )

v. )

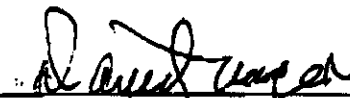
UNIVERSAL AUTOMOTIVE, INC., )  
Defendant. )

PLAINTIFF'S RULE 16.1(D)(3) CERTIFICATION

The undersigned hereby certify that they have conferred: (i) with a view to establishing a budget for the costs of conducting the full course, and various alternative courses, of the litigation; and (ii) to consider the resolution of the litigation through the use of alternative dispute resolution programs.

  
William A. DeVasher, Jr.

BBO N<sup>o</sup> 552010  
Seegel, Lipshutz & Wilchins, P.C.  
Wellesley Office Park  
60 William Street, Suite 200  
Wellesley, Massachusetts 02481  
781.237.4400 (telephone)  
781.235.2333 (telefax)  
Dated: October 14, 2004

  
David Nager, President and CEO  
David Nager & Associates, Inc.  
Dated: October 14, 2004